

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Jason Lamon Kelly

Docket No. 4:08-CR-55-1D

Petition for Action on Supervised Release

COMES NOW Scott Plaster, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jason Lamon Kelly, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess with Intent to Distribute More than 50 Grams of Cocaine Base (Crack), was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on August 6, 2009, to the custody of the Bureau of Prisons for a term of 240 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

The period of imprisonment was reduced from 240 months to 216 months on October 6, 2010, pursuant to a Rule 35 motion. On January 7, 2016, pursuant to the defendant's motion for release under the Drug Quantity Table amendment and 18 U.S.C. § 3582(c), the period of imprisonment was reduced from 216 months to 175 months.

On March 15, 2019, the defendant's case was reassigned from Senior U.S. District Judge James C. Fox to U.S. District Judge James C. Dever III.

Jason Lamon Kelly was released from custody on February 19, 2020, at which time the term of supervised release commenced.

On October 28, 2020, the conditions of supervised release were modified to include participation in a substance abuse treatment and testing program in response to the defendant testing positive for marijuana use.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On June 1, 2021, the defendant submitted to urinalysis testing in accordance with his participation in the Surprise Urinalysis Program, and the result of the test was positive for cocaine. Upon receipt of the test result, the defendant was questioned and admitted to using cocaine. The defendant has identified at-risk people and places that he needs to avoid, but he is having difficulty addressing his anxiety related to removing himself from those things. He has completed substance abuse treatment once, but he has been referred to treatment for the second time. It is recommended that the defendant return to treatment and also receive a mental health assessment to determine whether the defendant suffers from co-occurring disorders. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Julie W. Rosa
Julie W. Rosa
Supervising U.S. Probation Officer

/s/ Scott Plaster
Scott Plaster
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8808
Executed On: June 21, 2021

ORDER OF THE COURT

Considered and ordered this 21 day of June, 2021, and ordered filed and
made a part of the records in the above case.

James C. Dever III
James C. Dever III
U.S. District Judge